1951

File No. B. Prim Edu and Housing Board/51 Legal Department-

B BRANCH

K

Subject:—

L.A. Bill (ro XXVI of 1951

A Bill to amend the Bombay
Primary Education Act, 1947
and
Bombay Housing Board Act, 1948

Bombay Act, NO XLVI of 1951

P.19

File No. B Prim Edu. and Housing Board/51

Gen. 194 e.

812-B

A requisite draft Bill is sent herewith.

2. The Bill requires the Governor's recommendation under article 207(3) of the Constitution. It does not require any sanction. After the Bill is passed it will have to be reserved for the consideration of the President under article 254(2) as it contains provisions repugnant to the provisions of the Provident Funds Act, 1925, which is anexisting law relating to entry 24 in List III in the Seventh Schedule to the Constitution.

3. Inview of the provision made in sub-section (1) of new section 13A of the Housing Board Act it would not now be necessaryto issue a notification under section 8 of the Provident Funds Act. (vide R;L.A's No. 254, dated the 4th January 1951).

4. It is presumed that the Housing Board has not as yet established any Provident Fund for its employees. A provision on the lines of sub-section (2) of new section 46A of the Primary Education Act is not necessary in the case of the Housing Board and is not therefore made in new section 13A of the Housing Board Act.

Id/-J.R.D. 3/2
Additional Secretary to Government

U.R. to E.D. No. 2088 , dated the 3rd February 1951.

BKS. 9/7

2/2/51

Office of the R.L.A.

The question referred to the R.L.A., for advice is whether it would be feasible to permit the employees of the Housing Board and of the School Boards to subscribe to the Bombay General Provident Fund or the Contributory Provident Fund.

2. Both the Bomaby General Provident Fund and the Contributory Provident Fund have been established by Govt. for the benefit of its pensionable and non-pensianable servants; and the Rules governing these funds which were framed under section 241 (2) of the Government of India Act, 1935, cannot apply to persons who are not in the service of Government. The Housing Board established under section 3 of the Bombay Housing Board Act, 1948, is not a part of Government. It is an independent body corporate created by Statute. Under section 13 of the Housing Board Act, the conditions of service of the servants of the Housing Board which would include the matter of provident fund also, would be governed by the Regulations made by the Board. Similarly, the employees of the School Board are, under section 20 of the Bombay Primary Education Act, servants of the District School Board or of the authorised municipality, both of which are also independent bodies corporate created by statute. It follows, therefore, that the employees of the Housing Board andof the School Boards cannot be permitted to join the Bombay General Provident Fund or the Contributory Provident Fund.

3. To achieve the purpose which F.D. has in view, two things are necessary: (1)that the Provident Fund should be established by Government or by its authority, and (2) that for the security of the subscribers thereto, it should attract the provisions of the Provident Funds Act, 1925. The second condition can be fulfilled in respect of a provident Fund, if one is established by

the authority of Government for employees of the School Board, as such fund will be covered by the definition given in clause (d) of section 2 of the Provident Funds Act. That condition can also be fulfilled in respect of a provident fund for the employees of the Housing Board in case a notification under section 8(2) is issued by Government. The first condition will depend upon proper legislative provision being made therefor. In respect of a provident fund for the employees of the School Boards, the present legislative provisions are contained in section 63(2)(f) of the Bombay Primary Education Act, 1947, and the Rules made thereunder. These Rules show that the provident fund is established not by or by the authority of Government, but by the District School Board or the authorised municipality: vide rule 193 of the Bombay Primary Education Rules, 1949. If the first condition is to be fulfilled in respect of the provident fund for the employees of the School Board, it would be necessary either to change the Rules radically making it clear that the provident fund is established by Government or by its authority and not by the bodies concerned; or better still to amend section 63 making it clear that Government is establishing the provident fund for the employees of the School Boards. There should be no difficulty in the way of such amendment if it be correct that Government are in fact making a grant-in-aid equivalent to the body's contributions to the provident fund. Similarly, in the case of the Provident Fund for the employees of the Housing Board, the Housing Board Act may be suitably amended for establishing a provident fund by Government for the Board's employees. There should be no objection to making provision in the proposed amendment for some portion of the contribution being paid by the School Board or the Housing Board, as the case may be. If provident funds are established by Government, in this manner, it would be possible for Government to

get control of the fund and also give those funds the benefit of the Provident Funds Act, 1925, in the manner suggested ~~k~~ above.

Sd/- P.M.Lad

Remembrancer of Legal Affairs.

U.R. to F.D. No.254 , dated the 4th January 1951, with copy of B.C.S.P.Fund Rules.

BKS. 9/7

Office of the R.L.A.

The view taken by the Secretary, Labour and Housing Department that 'no specific exclusion seems called for' is correct. As the principal Act has not been applied to partially excluded areas in the State of Bombay by a notification under section 92 of the Government of India Act, 1935, that Act cannot be said to have come into force in partially excluded areas (now Scheduled areas) situate in a district even though the Act has been subsequently brought in force in such district by a notification under section 1(3) of the Act. This fact may be borne in mind while enforcing the provisions of the Act in any such district.

2. The action indicated in paragraph 3 of L.D., U.R. No.5666, dated the 9th April 1951 and referred to in para. 3 of E.D. note on prepage is being separately taken in L.D.

Id/-J.R.D. 29/5
Remembrancer of Legal Affairs.

U.R. to L. & H.D.No. 8479 ,dated the 30th May 1951.

BKS. 9/7

No. 179-2
Legal Department,
Council Hall, Poona, 17th September 1951.

From

Shri J.R. Dhurandhar,
Secretary to the Government of Bombay.

To

The Secretary to the Governor of Bombay.

Subject:- The Bombay Primary Education and Housing Board (Amendment)Bill, 1951.

Sir,

With reference to article 200 of the Constitution of India I am directed to forward herewith for being presented to His Excellency the Governor the authentic copy of the Bombay Primary Education and Housing Board (Amendment) Bill, 1951, which was read for the third time and passed at the meetings of the Bombay Legislative Assembly and the Bombay Legislative Council held on the 23rd August 1951 and the 1st September 1951, respectively.

2. The subject-matter of the Bill falls under entries 5 and 11 in List II and entry 24 in List III in the Seventh Schedule to the Constitution of India. As the provisions of the Bill are repugnant to the Provisions of the Provident Funds Act, 1925, which is an existing law relating to entry 24 in the Concurrent Legislative List, it is necessary to reserve the Bill for the consideration of the President with reference to article 254 (2) of the Constitution.

3. I also forward herewith six copies of the items Nos. 1 and 2 the papers noted in the margin. The Bill was not referred to Select Committee.

1. Bill as introduced in the Bombay Legislative Assembly with the Statement of Objects and Reasons:	:
2. Bill as read for the third time and passed by the Bombay Legislative Council.	: and two copies
3. Extracts from the proceedings of the Bombay Legislative Assembly dated the 22nd and 23rd August 1951 and of the Bombay Legislative Council dated the 1st September 1951.	: of item No. 3 of

Yours faithfull,

Id/-J.R.D. 15/9
Secretary to Government.

Through:
The Secretary to the Government of Bombay,

No. G. S. 2397

FROM

THE SECRETARY T THE GOVERNOR OF BOMBAY

To

The Secretary to the Bombay Legislature

Department, Council Hall, Poona.

GOVERNMENT HOUSE.

September 20, 1951
GANESHKHIND, Poona, 7

Subject: The Bombay Primary Education and Housing Board (Amendment) Bill, 1951.

Sir,

With reference to the Bombay Primary Education and Housing Board (Amendment) Bill, 1951, which was passed by the Bombay Legislative Assembly and the Bombay Legislative Council on August 23, 1951 and September 1, 1951, respectively, I am directed to state, for the information of the Honourable the Speaker and the Honourable the Chairman, that as the provisions of the Bill are repugnant to the provisions of the Provident Funds Act, 1925, which is an existing law relating to entry 24 in the Concurrent Legislative List, it is necessary to reserve the Bill for the consideration of the President with reference to article 254(2) of the Constitution of India. His Excellency the Governor has accordingly been pleased, under article 200 of the Constitution, to declare that he reserves the Bill for the consideration of the President.

Yours faithfully,

L.M. Nadkarni.

Secretary to the Governor
of Bombay.

. . . . . .

No. G.S.-2398
Office of the Secretary to the Governor,
Government House, Ganeshkhind,
Poona 7, September 20, 1951.

Copy forwarded with compliments to:-

(1) The Secretary to Government , Legal Department, with reference to his letter No. 179-L, dated September 17, 1951;

(2) The Secretary to Government, Education Department, with reference to his endorsement dated September 17, 1951.

Secretary to Government.

BKS. 9/7

No.G.S.-3455

FROM

THE SECRETARY TO THE GOVERNOR OF BOMBAY

To

The Secretary to Government,

Legal Department.

Raj Bhavan;
BOMBAY. 6; December 15, 1951

Subject: The Bombay Primary Education and Housing Board (Amendment) Bill, 1951.

Sir,

In continuation of my letter No. G.S.-3427, dated December 13, 1951, I am directed to forward herewith the authentic copy of the Bombay Primary Education and Housing Board (Amendment) Bill, 1951, with the President's assent signified thereon.

Yours faithfully,

for Secretary to the Governor.

BKS. 9/7

Acts.

Publication of the
Bombay Primary Education and
Housing Board (Amendment) Act, 1951.

GOVERNMENT OF BOMBAY,
Legal Department,
Resolution No. 20054
Bombay Castle, 15th December 1951.

Letter to the Secretary to the Governor, No. 179-L, dated the 17th September 1951.

Letter from the Secretary to the Governor, No. G.S. 3427, dated the 13th December 1951.

In continuation of my letter No. GS.-3313, dated December 5, 1951, I am to say that intimation has been received from the Government of India, Ministry of Home Affairs, that the President assented to the Bombay Primary Education and Housing Board (Amendment) Bill, 1951, on December 9, 1951.

RESOLUTION:- The law should be published as Bombay Act No. XLVI of 1951, in the Bombay Government Gazette dated the 15th December 1951.

2. The Act should be translated into Marathi, Gujarati, Kannada and Hindi (in Devnagari script) and the translations shouldbe published in the Bombay Government Gazette.

3. A copy of the Act should be forwarded to the Education Department.

By order of the Governor of Bombay,

K.J. PATHARE,
Assistant Secretary to Government.

To

The Manager, Government Central Press, Bombay (with a copy of the Act and with a request that 30 Gazette copies of the Act may be forwarded to the Legal Department and 10 copies to the Education Department),
The Education Department,
The Oriental Translator to Government,
The Bombay Legislature Department,
The Director of Publicity, Bombay,
The Enquiry Officer for the Secretariat, Bombay.
The Labour and Housing Department.
) with a copy of the Act.

*With four extra copies of the Act.

REGISTERED No. B-1

The
Bombay Government Gazette
PUBLISHED BY AUTHORITY
THURSDAY, 29TH MARCH 1951.
Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART V

[To be translated into Marathi, Gujarati, Kannada and Hindi (in Devnagari script) and the translations to be published in the "Bombay Government Gazette". The dates of publication to be reported.]

The following Bill is published under the proviso to rule 80 of the Bombay Legislative Assembly Rules :—

L. A. BILL No. XXVI OF 1951.

A Bill to amend the Bombay Primary Education Act, 1947, and the Bombay Housing Board Act, 1948.

Bom. LXI of 1947. Bom. LXIX of 1948. WHEREAS it is expedient to amend the Bombay Primary Education Act, 1947, and the Bombay Housing Board Act, 1948, for the purposes hereinafter appearing ; It is hereby enacted as follows :—

Short title and commencement.

1. (*1*) This Act may be called the Bombay Primary Education and Housing Board (Amendment) Act, 1951.

(*2*) It shall come into force on such date as the State Government may by notification in the *Official Gazette* appoint.

Amendment of section 20 of Bom. LXI of 1947.

Bom. LXI of 1947. 2. In section 20 of the Bombay Primary Education Act, 1947, hereinafter referred to as the Primary Education Act, —

(*1*) in sub-section (*2*), the words "provident fund," shall be deleted ;

(*2*) after sub-section (*2*), the following sub-section shall be inserted, namely :—

"(*2A*) The rates of subscriptions and contributions and other conditions of the provident fund established by the State Government under section 46A for the members of the staff maintained by district school boards and for the primary school teachers maintained by authorized municipalities shall be such as may be prescribed.";

(*3*) in sub-section (*3*), for the words "all the members of the staff maintained by a district school board and of the primary school teachers maintained by an authorized municipality" the words, brackets, figure and letter "the staff and teachers referred to in sub-section (*2A*)" shall be substituted.

Insertion of new section 46A in Bom. LXI of 1947.

3. After section 46 of the Primary Education Act, the following section shall be inserted, namely :—

Provident fund.

"46A. (1) The State Government shall establish a provident fund (hereinafter called the said fund) for the staff maintained by district school boards or for the primary school teachers maintained by authorized municipalities.

(2) Any provident fund established and maintained by a district school board or an authorized municipality for such staff or teachers, as the case may be, before the date of the coming into force of the Bombay Primary Education and Housing Board (Amendment) Act, 1951, shall be merged into and form part of the said fund and the district school board or the authorized municipality concerned shall as soon as may be after the said date transfer from its primary education fund to the said fund a sum equal to the total amount standing to the credit of all the subscribers or depositors in the provident fund till the date of such transfer : Bom. of 1951.

Provided that in the event of any doubt arising as to the amount to be so transferred by any district school board or authorized municipality from its primary education fund to the said fund, the matter shall be referred to the State Government or any officer authorised by it in this behalf, whose decision shall be final.

(3) The district school board or the authorized municipality concerned shall, in respect of each of its employees who is a subscriber to the said fund, pay into the said fund such portion of the contribution in such manner as the State Government may, from time to time, determine."

Amendment of section 63 of Bom. LXI of 1947.

4. In section 63 of the Primary Education Act, for clause (*f*) of sub-section (2), the following clauses shall be substituted, namely :—

"(*f*) the rates of subscriptions and contributions and other conditions of the provident fund established for the staff maintained by district school boards and primary school teachers maintained by authorized municipalities ;

(*fa*) the conditions of gratuities and pensions for the staff and teachers referred to in clause (*f*) ;"

Insertion of new section 13A in Bom. LXIX of 1948.

5. After section 13 of the Bombay Housing Board Act, 1948, hereinafter referred to as the Housing Board Act, the following section shall be inserted, namely :— Bom. LXIX of 1948.

Provident fund.

"13A. (1) The State Government shall establish a provident fund for the Secretary, Housing Commissioner and other officers and servants of the Board and such provident fund (hereinafter called the said fund) shall, notwithstanding anything contained in section 8 of the Provident Funds Act, 1925, be deemed to be a Government Provident Fund for the purposes of the said Act. XIX of 1925.

(2) The Board shall in respect of each of its employees who is a subscriber to the said fund, pay into the said fund such portion of the contribution in such manner as the State Government may, from time to time, determine."

6. In section 66 of the Housing Board Act, after clause (*a*) of sub-section (2), the following clause shall be inserted, namely :— Amendment of section 66 of Bom. LXIX of 1948.

" (*aa*) the rates of subscriptions and contributions and other conditions of the provident fund established under section 13A ;".

STATEMENT OF OBJECTS AND REASONS.

A large number of school buildings are required to be put up all over the State to house the increased number of students who are attending primary schools as a result of the scheme of compulsory elementary education in all villages with a population of 1,000 and over introduced by Government and also under the scheme of providing educational facilities, in villages with a population of 700 and over. If the scheme of compulsion is to proceed according to plan it is necessary to construct school buildings for primary schools wherever necessary. The programme of construction of school buildings could not, however, be attempted, on an appreciable scale because of lack of funds. It is now proposed that the provident fund accumulations of all the members of the staff maintained by district school boards and of the primary school teachers maintained by authorised municipalities, which are vested at present in the district school boards and the authorised municipalities concerned, should be taken over by Government and applied for the purpose of spreading the programme of training schools. It is accordingly proposed to amend the Bombay Primary Education Act, 1947, with a view to enabling Government to establish a provident fund for the staff maintained by district school boards and for primary school teachers maintained by authorised municipalities. It is also proposed to amend the Bombay Housing Board Act, 1948, to enable Government to establish a provident fund for the Secretary, Housing Commissioner and other officers and servants of the Bombay Housing Board. The accumulated balance in the provident funds already established by these various bodies will merge in the fund to be created by Government.

(Signed) B. G. KHER.

Dated the 22nd March 1951.

By order of the Governor of Bombay,

J. R. DHURANDHAR,
Secretary to the Government of Bombay,
Legal Department.

Bombay, dated the 29th March 1951.

BOMBAY : PRINTED AT THE GOVERNMENT CENTRAL PRESS.

L. A. BILL No. XXVI OF 1951.

A Bill to amend the Bombay Primary Education Act, 1947, and the Bombay Housing Board Act, 1948.

(As read for the third time and passed by the Legislative Assembly on the 23rd August 1951.)

Bom. LXI of 1947. Bom. LXIX of 1948. WHEREAS it is expedient to amend the Bombay Primary Education Act, 1947, and the Bombay Housing Board Act, 1948, for the purposes hereinafter appearing; It is hereby enacted as follows :—

Short title and commencement.

1. (*1*) This Act may be called the Bombay Primary Education and Housing Board (Amendment) Act, 1951.

(*2*) It shall come into force on such date as the State Government may by notification in the *Official Gazette* appoint.

Amendment of section 20 of Bom. LXI of 1947.

Bom. LXI of 1947. 2. In section 20 of the Bombay Primary Education Act, 1947, hereinafter referred to as the Primary Education Act, —

(*1*) in sub-section (*2*), the words "provident fund," shall be deleted;

(*2*) after sub-section (*2*), the following sub-section shall be inserted, namely :—

"(*2A*) The rates of subscriptions and contributions and other conditions of the provident fund established by the State Government under section 46A for the members of the staff maintained by district school boards and for the primary school teachers maintained by authorized municipalities shall be such as may be prescribed.";

(*3*) in sub-section (*3*), for the words "all the members of the staff maintained by a district school board and of the primary school teachers maintained by an authorized municipality" the words, brackets, figure and letter "the staff and teachers referred to in sub-section (*2A*)" shall be substituted.

K Bk Hb 173—1

Insertion of new section 46A in Bom. LXI of 1947.

3. After section 46 of the Primary Education Act, the following section shall be inserted, namely :—

Provident fund.

"46A. (*1*) The State Government shall establish a provident fund (hereinafter called the said fund) for the staff maintained by district school boards or for the primary school teachers maintained by authorized municipalities.

(*2*) Any provident fund established and maintained by a district school board or an authorized municipality for such staff or teachers, as the case may be, before the date of the coming into force of the Bombay Primary Education and Housing Board (Amendment) Act, 1951, shall be merged into and form part of the said fund and the district school board or the authorized municipality concerned shall as soon as may be after the said date transfer from its primary education fund to the said fund a sum equal to the total amount standing to the credit of all the subscribers or depositors in the provident fund till the date of such transfer :

Provided that in the event of any doubt arising as to the amount to be so transferred by any district school board or authorized municipality from its primary education fund to the said fund, the matter shall be referred to the State Government or any officer authorised by it in this behalf, whose decision shall be final.

(*3*) The district school board or the authorized municipality concerned shall, in respect of each of its employees who is a subscriber to the said fund, pay into the said fund such portion of the contribution in such manner as the State Government may, from time to time, determine."

Amendment of section 63 of Bom. LXI of 1947.

4. In section 63 of the Primary Education Act, for clause (*f*) of sub-section (*2*), the following clauses shall be substituted, namely :—

"(*f*) the rates of subscriptions and contributions and other conditions of the provident fund established for the staff maintained by district school boards and primary school teachers maintained by authorized municipalities ;

(*fa*) the conditions of gratuities and pensions for the staff and teachers referred to in clause (*f*) ;"

Insertion of new section 13A in Bom. LXIX of 1948.

5. After section 13 of the Bombay Housing Board Act, 1948, hereinafter referred to as the Housing Board Act, the following section shall be inserted, namely :— Bom. LXIX of 1948.

Provident fund.

"13A. (*1*) The State Government shall establish a provident fund for the Secretary, Housing Commissioner and other officers and servants of the Board and such provident fund (hereinafter called the said fund) shall, notwithstanding anything contained in section 8 of the Provident Funds Act, 1925, be deemed to be a Government Provident Fund for the purposes of the said Act. XIX of 1925.

(2) The Board shall in respect of each of its employees who is a subscriber to the said fund, pay into the said fund such portion of the contribution in such manner as the State Government may, from time to time, determine."

Amendment of section 66 of Bom. LXIX of 1948.

6. In section 66 of the Housing Board Act, after clause (*a*) of sub-section (2), the following clause shall be inserted, namely :—

" (*aa*) the rates of subscriptions and contributions and other conditions of the provident fund established under section 13A ;".

Government of Bombay

LEGAL DEPARTMENT

[L. A. BILL No. XXVI OF 1951.]

(As read for the third time and passed by the Legislative Assembly on the 23rd August 1951.)

A Bill to amend the Bombay Primary Education Act, 1947, and the Bombay Housing Board Act, 1948.

[Shri B. G. KHER, M.L.A.]

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

Bombay Act No XLVI of 1951.

~~L. A. BILL No. XXVI OF 1951.~~

An Act

~~A Bill~~ to amend the Bombay Primary Education Act, 1947, and the Bombay Housing Board Act, 1948.

(As read for the third time and passed by the Legislative Assembly on the 23rd August 1951.)

(As read for the third time and passed by the Legislative Council on the 1st September 1951.)

Bom. LXI of 1947. Bom. LXIX of 1948.

WHEREAS it is expedient to amend the Bombay Primary Education Act, 1947, and the Bombay Housing Board Act, 1948, for the purposes hereinafter appearing; It is hereby enacted as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Bombay Primary Education and Housing Board (Amendment) Act, 1951.

(*2*) It shall come into force on such date as the State Government may by notification in the *Official Gazette* appoint.

Bom. LXI of 1947.

Amendment of section 20 of Bom. LXI of 1947.

2. In section 20 of the Bombay Primary Education Act, 1947, hereinafter referred to as the Primary Education Act, —

(*1*) in sub-section (*2*), the words "provident fund," shall be deleted;

(*2*) after sub-section (*2*), the following sub-section shall be inserted, namely:—

"(*2A*) The rates of subscriptions and contributions and other conditions of the provident fund established by the State Government under section 46A for the members of the staff maintained by district school boards and for the primary school teachers maintained by authorized municipalities shall be such as may be prescribed.";

(*3*) in sub-section (*3*), for the words "all the members of the staff maintained by a district school board and of the primary school teachers maintained by an authorized municipality" the words, brackets, figure and letter "the staff and teachers referred to in sub-section (*2A*)" shall be substituted.

K Bk Hb 195—1

Insertion of new section 46A in Bom. LXI of 1947.

3. After section 46 of the Primary Education Act, the following section shall be inserted, namely :—

Provident fund.

"46A. (*1*) The State Government shall establish a provident fund (hereinafter called the said fund) for the staff maintained by district school boards or for the primary school teachers maintained by authorized municipalities.

(*2*) Any provident fund established and maintained by a district school board or an authorized municipality for such staff or teachers, as the case may be, before the date of the coming into force of the Bombay Primary Education and Housing Board (Amendment) Act, 1951, shall be merged into and form part of the said fund and the district school board or the authorized municipality concerned shall as soon as may be after the said date transfer from its primary education fund to the said fund a sum equal to the total amount standing to the credit of all the subscribers or depositors in the provident fund till the date of such transfer : Bom. of 1951—

Provided that in the event of any doubt arising as to the amount to be so transferred by any district school board or authorized municipality from its primary education fund to the said fund, the matter shall be referred to the State Government or any officer authorised by it in this behalf, whose decision shall be final.

(*3*) The district school board or the authorized municipality concerned shall, in respect of each of its employees who is a subscriber to the said fund, pay into the said fund such portion of the contribution in such manner as the State Government may, from time to time, determine."

Amendment of section 63 of Bom. LXI of 1947.

4. In section 63 of the Primary Education Act, for clause (*f*) of sub-section (*2*), the following clauses shall be substituted, namely :—

"(*f*) the rates of subscriptions and contributions and other conditions of the provident fund established for the staff maintained by district school boards and primary school teachers maintained by authorized municipalities ;

(*fa*) the conditions of gratuities and pensions for the staff and teachers referred to in clause (*f*) ;"

Insertion of new section 13A in Bom. LXIX of 1948.

5. After section 13 of the Bombay Housing Board Act, 1948, hereinafter referred to as the Housing Board Act, the following section shall be inserted, namely :— Bom. LXIX of 1948.

Provident fund.

"13A. (*1*) The State Government shall establish a provident fund for the Secretary, Housing Commissioner and other officers and servants of the Board and such provident fund (hereinafter called the said fund) shall, notwithstanding anything contained in section 8 of the Provident Funds Act, 1925, be deemed to be a Government Provident Fund for the purposes of the said Act. XIX of 1925.

(2) The Board shall in respect of each of its employees who is a subscriber to the said fund, pay into the said fund such portion of the contribution in such manner as the State Government may, from time to time, determine."

Amendment of section 66 of Bom. LXIX of 1948.

6. In section 66 of the Housing Board Act, after clause (*a*) of sub-section (2), the following clause shall be inserted, namely :—

" (*aa*) the rates of subscriptions and contributions and other conditions of the provident fund established under section 13A ;".

Government of Bombay

LEGAL DEPARMENT

[L. A. BILL No. XXVI OF 1951.]

(As read for the third time and passed by the Legislative Assembly on the 23rd August 1951.)

(As read for the third time and passed by the Legislative Council on the 1st September 1951.)

A Bill to amend the Bombay Primary Education Act, 1947, and the Bombay Housing Board Act, 1948.

[Shri B. G. Kher, M.L.A.]

K Bk Hb 195—2

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.